

OVERVIEW

Director: Christy Clark (Appointed by Governor and confirmed by the Senate)

Article XII, section 1, requires the legislature to provide for the Department of Agriculture to "protect, enhance, and develop all agriculture." The constitution also allows for special levies "for disease control and indemnification, predator control, and livestock and commodity inspection, protection, research, and promotion."

DEPARTMENT DUTIES

Regulation/Licensing	Oversight and Assistance
<ul style="list-style-type: none">Regulates and licenses:<ul style="list-style-type: none">Facilities that condition agricultural seed and assesses fees on certain salesProduce/commodity dealers and commodity warehouses, including use of bonds and claims against bondsRegulates fertilizers and licenses distributorsRegisters and regulates apiariesLicenses, inspects, regulates:<ul style="list-style-type: none">Commercial pesticide applicators and dealersPlant nurseriesCommercial feedPet foods	<ul style="list-style-type: none">Maintains a testing laboratory for certifying grade or protein of grainsShares with the Department of Environmental Quality a duty to inspect and regulate hazardous waste pesticides and pesticide container recyclingProvides inspectors and graders for agricultural productsOversees and provides management help to control pests and weedsCollects and publishes statistics on ag products and allied interests' production/marketingAssists and promotes the organization of farmers' institutes, societies, and the holding of value-added product trade showsHelps devise and maintain distribution systemsInspects produce under Montana Produce ActMay maintain a market news service and act as a clearinghouse for producers and consumersRetains appraisers/adjusters for losses insured by the Board of Hail Insurance

BOARDS AND OTHER ENTITIES ASSIGNED TO THE DEPARTMENT OF AGRICULTURE

With appointments by Governor:

- Board of Hail Insurance, 2-15-3003 and Title 80, chapter 2, part 2, MCA
- Montana Agricultural Development Council, 2-15-3015 and Title 90, chapter 9, part 2, MCA
- Montana Alfalfa Seed Committee, 2-15-3004 and Title 80, chapter 6, part 11, and chapter 11, part 3, MCA
- Montana Wheat and Barley Committee, 2-15-3002 and Title 80, chapter 11, part 2, MCA

Boards or entities attached to the department with department appointments:

- Noxious Weed Management Advisory Council, 80-7-805, MCA
- Montana Noxious Weed Seed Free Forage Advisory Council, 80-7-904, MCA (*Repealed in 2023 Session)
- Organic Commodity Advisory Council, 80-11-601, MCA

- Montana Potato Advisory Committee, 80-11-510, MCA
- Montana Pulse Crop Advisory Committee, 80-11-510, MCA
- Montana Hemp Advisory Committee, 80-11-510, MCA (Inactive Committee)
- Advisory Council on Special Pesticide Problems, 80-8-108, MCA (allows department to set up council, but it hasn't)

DEPARTMENT OF AGRICULTURE BIENNIUM BUDGET FOR FY 2024 AND FY 2025

Divisions	FTE	2025 Biennial Budget			Proprietary*	Total All
		General Fund	State Special Revenue	Federal Special Revenue		
Central Services	19.0	640,344	3,343,627	517,666	308,431	4,810,068
Agricultural Sciences Division	61.79	1,277,573	18,946,986	2,180,536	0	22,405,095
Agricultural Development Division**	42.65	2,345,663	2,727,189	580,029	2,458,633	8,101,514
Growth Through Agriculture***		1,798,803	1,224,730	0	0	3,023,533
Wheat and Barley****		0	9,607,025	0	0	9,607,025
Grain Lab**		500,000	3,214,746	0	0	3,714,746

Notes: Chart reflects current budget authority, which includes House Bill 2, federal budget amendments, and statutory authority as of 07/06/2023.

* **Proprietary** funds include the Hail Insurance Program

** The **Agricultural Development Division** includes Growth through Agriculture, Wheat and Barley, and the Grain Lab budgets, but each are listed separately for informational purposes.

*** **Growth Through Agriculture** includes HB 2 appropriations and HB 52 funding under 15-35-108, MCA

**** **Wheat and Barley** includes grant authority for the Wheat and Barley Committee (80-11-205, MCA)

LEGISLATIVE AUDITS

- 2022 Financial Compliance Audit (21-21); 3 recommendations

EAIC POTENTIAL AREAS OF INTEREST

- Monitoring the implementation of HB948, prohibition of synthetic marijuana products – the bill allows for testing by the Department of Agriculture
- Agriculture production in the state and related topics
- 2023 USDA Farm Bill

RELATED LEGISLATION PASSED IN 2023

During the 2021-2022 interim, the Department of Agriculture requested **five** bill drafts. Of the **three** drafted and introduced, **all** were passed and approved:

- HB 93** Eliminates the noxious weed seed free forage advisory council; transfers duties to the noxious weed management advisory council; revises the makeup of the noxious weed management advisory council.
- HB 94** Repeals Montana huckleberry filing law requirements.
- HB 113** Repeals the requirements for licensing of hucksters.

Other agriculture related legislation:

- HB 120** Allows the Department of Revenue to allow alcoholic beverage manufacturer tradeshows; allowing alcoholic beverage manufacturers to showcase products at tradeshows; and providing rulemaking authority.
- HB 487** Prohibits seed cleaning or conditioning without department declaration.
(Working on administration rules)
- HB 738** Exempts the Montana Wheat and Barley Committee from state procurement requirements.
(Working on policy)
- HB 821** Appropriates money to the Department of Agriculture for grants to assist Yellowstone, Musselshell, and Stillwater Counties to combat infestations of certain weeds.
- HJ 7** Joint Resolution supporting the 100th Anniversary of the Livingston Roundup Rodeo's 100 Buckin' Years Event.
- HR 6** Resolution of the House of Representatives urging the United States Congress to implement country-of-origin labeling for beef and pork products.
- SJ 9** Joint Resolution establishing the first week in April as Montana Soil Health Week and the first Wednesday in April as Soil Health Day.
- SJ 13** Joint Resolution establishing June as Rangeland Appreciation Month.